

January 14, 2009

Mr. William Sanchez  
1104 Calle Del Pajarito  
Santa Fe, NM 87507

Dear Mr. Sanches:

I am General Counsel for the New Mexico Department of Military Affairs. As you may know, the Department of Military Affairs provides the infrastructure to support the New Mexico National Guard, Army and Air National Guard, State Defense Force and Civil Air Patrol missions. In my capacity as General Counsel to the Department of Military Affairs, I act as counsel to the New Mexico National Guard.

I am writing to request your cooperation and assistance in an investigation involving a former New Mexico National Guard armory located in Las Cruces, New Mexico. The U.S. Environmental Protection Agency ("EPA") has identified the Solano armory as a potential source of hazardous waste contamination in ground water in certain areas in Las Cruces – specifically, by perchloroethylene ("PCE"), a solvent generally used for dry cleaning and parts cleaning operations. Based on its investigation, EPA has determined that "it is more likely than not that PCE was released to the soil" at or near the former Solano armory, and "migrated to nearby ground water." EPA also determined that the release(s) from the Solano armory may contribute to a larger area of ground water contamination designated the "Griggs & Walnut Ground Water Plume."

The City of Las Cruces, Dona Ana County, and EPA are attempting to determine the causes of the PCE contamination underlying the Solano armory and surrounding areas. Information regarding historical New Mexico National Guard operations at the Solano armory is very important to the Griggs & Walnut Ground Water Plume investigation, and will help the local, state and federal governments work cooperatively to achieve an effective cleanup of the contaminated area. In some cases, the most reliable information regarding maintenance operations that were actually conducted at an armory can only be obtained by speaking directly with individuals who were stationed there.

Therefore, on behalf of the New Mexico Department of Military Affairs and the New Mexico National Guard, I am requesting your cooperation with both EPA's investigators and the lawyers and investigators for the City and County. I further request that you answer all of their questions regarding activities that you and your colleagues performed at the Solano armory to the best of your ability.

On behalf of the New Mexico Department of Military Affairs and the New Mexico National Guard, I assure you that neither you nor any individual to whom you may refer during these

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interviews will suffer any negative consequences from the New Mexico Department of Military Affairs or the New Mexico National Guard. For example, your pension, retirement, and any other benefits you may receive from the National Guard will not be affected in any way as a result of your cooperation in the Griggs & Walnut Ground Water Plume investigation.

In order to complete the investigation, the following individuals may contact you:

1. Ed Fridenstine, Director of Risk Management for Doña Ana County;
2. Representatives from the Environmental Protection Agency, Dallas Office;
3. Steven Jones, an attorney for the City of Las Cruces and Dona Ana County; and/or
4. Jessica Ferrell, an attorney for the City of Las Cruces and Dona Ana County.

The goal of the Griggs & Walnut Ground Water Plume investigation is *not* to establish personal liability of individuals who formerly or currently serve in the New Mexico National Guard. Rather, the information that you provide will help to assure an effective cleanup of the Griggs & Walnut Ground Water Plume in Las Cruces. The New Mexico Department of Military Affairs and the New Mexico National Guard are fully cooperating with the City, County and EPA investigation, and request that former and current National Guard personnel do the same.

Please do not hesitate to contact me if you have any questions regarding this letter or the assurances that I have provided on behalf of the New Mexico Department of Military Affairs and the New Mexico National Guard regarding the Griggs & Walnut Ground Water Plume investigation. Thank you in advance for your cooperation.

Sincerely,

Shanon Riley  
General Counsel, New Mexico Department of Military Affairs

Mr. Ed Fridenstine can be reached at (575) 525-5919  
EPA Dallas Office can be reached at (214) 665-6686  
Mr. Jones and Ms. Ferrell can be reached at (206) 292-2600